

**Notice of Allowability**

Application No.

10/677,659

Applicant(s)

CAVAGE ET AL.

Examiner

ERIC C. WAI

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/29/2007.
2. ☒ The allowed claim(s) is/are 10-11, and 13 renumbered to 1-3.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

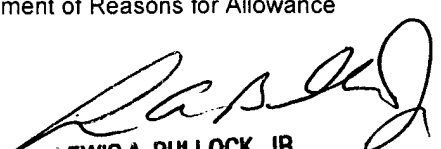
\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other \_\_\_\_\_

  
LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER

### DETAILED ACTION

1. Claims 10-11, and 13 are allowed, renumbered as 1-3.

### *Reasons for Allowance*

2. The following is an examiner's statement of reasons for allowance:
3. The cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitation, adjusting one or more parameter in the second set of parameters in accordance with a third set of parameters used to regulate a time period associated with processing the work items by the thread in response to a determination that workflow conditions do not have a characteristic indicated by the second set of parameters as recited in independent claim 10 (renumbered claim 1), and indicated, by the parameter, one or more characteristics from the group consisting of: a number of work items in the data structure; a time period since a work item in the data structure has been processed by the plurality of threads; the number of work items and the time period; or the number of work items or the time period as recited in independent claim 13 (renumbered claim 3).
4. The closest prior art, Deng et al. (Scheduling Real-Time Applications in an Open Environment) teaches a method for scheduling real-time and non-real-time applications that require use of resources. Shiu et al. (US 200410031035) teaches processing work items based on characteristics or criteria being met. Cota-Robles (US 200110056456) teaches the restricting of processing in accordance with parameters. Doing et al. (US Pat No. 6,018,759) teaches performance tuning by adjusting threshold parameters.

Art Unit: 2195

However, the combination of reference fails to teach adjusting one or more parameter in the second set of parameters in accordance with a third set of parameters used to regulate a time period associated with processing the work items by the thread in response to a determination that workflow conditions do not have a characteristic indicated by the second set of parameters as recited in independent claim 10 (renumbered claim 1), and indicated, by the parameter, one or more characteristics from the group consisting of: a number of work items in the data structure; a time period since a work item in the data structure has been processed by the plurality of threads; the number of work items and the time period; or the number of work items or the time period as recited in independent claim 13 (renumbered claim 3).

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC C. WAI whose telephone number is (571)270-1012. The examiner can normally be reached on Mon-Thurs, 9am-5pm.

Art Unit: 2195

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng - Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EW



LEWIS A. BULLOCK, JR.  
PRIMARY EXAMINER